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September 9, 2021

VIA ECF

Hon. John G. Koeltl
United States District Judge
United States District Court
Daniel Patrick Moynihan Courthouse
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

*The conference scheduled for
9/10/21 is canceled.*

*The parties should provide
a status report by 10/29/21.
so ordered*

Re: Iron Workers Locals 40, 361 & 417 Health Fund v. Joyce et al
Civil Case No.: 20-cv-596

Dear Judge Koeltl,

As Your Honor will recall, this firm is counsel to Plaintiff Iron Workers Locals 40, 361 & 417 Health Fund ("Health Fund") in the above-referenced matter. We write to request an adjournment of the status conference currently scheduled for September 10, 2021.

The parties have reached a settlement in principle. The Health Fund is currently waiting to receive reimbursement check from Mr. Joyce's treating physician and the no fault carrier. Additionally, the parties have agreed to the amount of money Plaintiff will pay to the Health Fund out of the settlement funds currently held in escrow in order to resolve the balance of the lien.

Plaintiff proposes that the status conference be adjourned sine die. Once the Health Fund deposits the reimbursement checks and the settlement money from Defendant, we will take the appropriate action to end this litigation and resolve the hold on the settlement funds held in escrow pursuant to the so-ordered stipulation entered into the parties on March 2, 2020. See Docket No. 19.

This is the fifth request to adjourn the status conference; the prior requests were granted. Counsel for the defendants has consented to the adjournment.

Plaintiffs thank Your Honor for the Court's attention to this matter.

Respectfully,

COLLERAN, O'HARA & MILLS L.L.P.

By: /s/ Thomas P. Keane
THOMAS P. KEANE

TPK/gl
3028-0008
cc: Seamus Boyle, Esq. via ECF